

the two governments respecting Oregon, the undersigned, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, has reflected on the contents of the note addressed to him on the third instant, by the Secretary of the United States, in answer to that which the undersigned had the honor to address to him on the 27th of last month.

The note of the undersigned proposed to the government of the United States, that the whole question of an equitable partition of the Oregon territory should be referred to the arbitration of some friendly sovereign or State.

In his answer, the Secretary of State informed the undersigned that his proposition could not be accepted. That it did not propose to refer to arbitration the question of the title to the Oregon territory claimed by the two powers respectively. That in proposing to refer to a friendly sovereign or State merely the partition or equitable division of the territory between the parties, it assumes the fact that the title of Great Britain to a portion of the territory is valid, and thus takes for granted the very question in dispute.

That under this proposition the very terms of the submission would contain an express acknowledgment of the right of Great Britain to a portion of the territory, and would necessarily preclude the United States from claiming the whole territory before the arbitrator; and this, too, the Secretary of State goes on to observe, in the face of his note to the undersigned of 30th August, by which the President had asserted in the most solemn form the title of the United States to the whole territory.

It is not the purpose of the undersigned in the present note to renew the discussion as to the title of either party, Great Britain or the United States, to the whole or any part of the Oregon territory.

He must, however, beg leave, with reference to the observation he had just quoted, to remind the United States Secretary of State, that if the government of the United States have formally advanced a claim to the whole of the Oregon territory, it is no less certain that Great Britain has, in a manner equally formal, declared that she, too, has rights in the Oregon territory, incompatible with the exclusive claim advanced by the United States.

This declaration, arising from a conviction equally sincere, will, the undersigned is persuaded, be viewed with the same consideration by the government of the United States, as they expect that their own declaration should receive at the hands of the Government of Great Britain.

This premises, the object of the undersigned in addressing to Mr. Buchanan the present communication is to ascertain from him whether, supposing the British Government to entertain no objection to such a course, it would suit the views of the United States government to refer to arbitration, not, as has already been proposed, the question of an equitable partition of the territory, but the question of title in either of the two powers to the whole territory, subject of course to the condition that it neither should be found, in the opinion of the arbitrator, to possess a complete title to the whole territory, there should, in that case, be assigned to each that portion of territory which would, in the opinion of the arbitrating power, be called for by a just appreciation of the respective claims of each.

The undersigned has suggested a reference on the above principle to some friendly sovereign or State.

This the undersigned believes to be the course usually followed in such cases; it is that which has already been resorted to by the two governments, (and more than once.) But there may be other forms of arbitration, perhaps, more agreeable to the Government of the United States.

There might be, for instance, a mixed commission, with an umpire appointed by common consent; or there might be a board, composed of the most distinguished civilians and jurists of the time, appointed in such a manner as should bring all pending questions to the decision of the most enlightened, impartial and independent minds.

In the present position of affairs, and feeling how much the interests of both countries require an early as well as an amicable and satisfactory adjustment of existing difficulties, the undersigned earnestly invites the Secretary of State to take the subject of this note into consideration, with a view to such an arrangement on the principle of arbitration as may seem to the Government of the United States to be most just, wise, and expedient.

The undersigned takes advantage of this opportunity to renew to the Hon. James Buchanan the assurance of his high consideration.

R. PAKENHAM.

To the Hon. JAMES BUCHANAN, &c.

Mr. Buchanan to Mr. Pakenham.

DEPARTMENT OF STATE.

Washington, Feb. 4, 1846.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the note of Mr. Pakenham, her Britannic Majesty's envoy extraordinary and minister plenipotentiary, dated on the 16th ultimo, by which he again proposes a reference of the Oregon question to arbitration. Under his present position, the powers of the arbitrator would not, as in his last, be limited in terms to the division of the territory between the parties, but would extend to the question of their conflicting titles.

There is, however, a condition annexed to this offer which exposes it to the same objection, in point of fact, if not in form, which was prominently presented

in the answer of the undersigned to Mr. Pakenham's last proposal. This condition is, that if neither party should be found, in the opinion of the arbitrator, to possess a complete title to the whole territory, there should in that case, be assigned to each that portion of territory which would, in the opinion of the arbitrating power, be called for by a just appreciation of the respective claims of each. If the government of the United States should consent to an arbitration upon such a condition, this might, and probably would, be construed into an intimation, if not a direct invitation to the arbitrator to divide the territory between the parties.

Were it possible for the President, under any circumstances, to consent to refer the subject to arbitration, the title, and the title alone, detached from every other consideration, is the only question which could be submitted. If not confined to a single point, so strong is the natural disposition of arbitrators to please both parties, that in almost every instance, whether of national or individual controversies, they make a compromising award. We have a memorable example of this in our last arbitration with Great Britain.

Notwithstanding that the arbitrator, under the terms of the submission was clearly and explicitly confined to the decision of which was the line of highlands described in the treaty of peace of 1783, yet instead of pursuing any range of highlands whatever, he advised that the line should run along the bed of a river, and actually divided the territory in dispute between the parties by the middle of the deepest channel of the St. John's.

The undersigned might content himself, in answer to the present proposition, with a reference to the observations contained in his last note to Mr. Pakenham of the 3d ultimo. In that, it was plainly intimated not only that there are other conclusive reasons for declining the proposition, independently of the one which had been prominently stated, but it was expressly asserted, as the belief of the President, that any attempt to refer this question to a third power, would only involve it in new difficulties.

The undersigned will, however proceed to state a single reason which, apart from the intrinsic difficulties of selecting a suitable arbitrator, as well as other considerations that might be adduced, is conclusive on the mind of the President against a reference of this question to arbitration, in any form which can be devised, no matter what may be the character of the arbitrator—whether sovereign, citizen or subject.

This reason is, that he does not believe the territorial rights of this nation to be a proper subject for arbitration. It may be true, that, under peculiar circumstances, if the interests at stake were comparatively small, and if both parties stood upon an equal footing, there might be no insuperable objection to such a course.

But what is the extent of territory in dispute on the present occasion? It embraces nearly thirteen degrees of latitude along the northwest coast of the Pacific, and stretches eastward to the summit of the Rocky mountains. Within its limits several powerful and prosperous States of the Union may be embraced. It is contiguous, on this continent, to the acknowledged territory of the United States, and is destined, at no distant day, to be peopled by our citizens.

This territory presents the avenue through which the commerce of our western States can be profitably conducted with Asia and the western coasts of this continent; and its ports, the only harbors belonging to the United States to which our numerous whalers and other vessels in that region can resort. And yet, vast as are its dimensions, it contains not a single safe and commodious harbor from its southern extremity until we approach the 49th parallel of latitude.

It is far from the intention of the undersigned again to open the discussion of the conflicting claims of the two powers to the Oregon territory. It is sufficient for him to state the continued conviction of the President, that the United States hold the best title in existence to the whole of this territory. Under this conviction, he cannot consent to jeopard for his country all the great interests involved, and by any possibility, however remote, to deprive the republic of all the good harbors on the coast, by referring the question to arbitration.

Neither is the territory in dispute of equal value to the two powers. What it is invaluable to the United States, it is of comparatively small importance to Great Britain. To her, Oregon would be but a distant colonial possession of doubtful value, and which, from the natural progress of human events, she would not probably long enough enjoy to derive from it essential benefits; whilst to the United States it would become an integral and essential portion of the republic. The gain to Great Britain she would never sensibly feel; whilst the loss to the United States would be irreparable.

The undersigned is perfectly aware that such considerations can have no bearing upon the question of the title of either party. They are presented solely for the purpose of explaining the views of the President in his refusal to adopt any measures which should withdraw our title from the control of the government and people of the United States, and place it within the discretion of any arbitrator, no matter how intelligent and respectable.

The President cordially concurs with the government of Great Britain, in desiring that the present controversy may be amicably adjusted. Of this, he has given the strongest proof before the whole world. He believes that as there are no two na-

tions on the earth more closely bound together by the ties of commerce, so there are none who ought to be more able or willing to do each other justice, without the interposition of any arbitrator.

The undersigned avails himself of this occasion to renew to Mr. Pakenham the assurance of his high consideration.

JAMES BUCHANAN.

Right Hon. R. PAKENHAM, &c. &c. &c.

Late from Brazil—A Battle Fought.

The Brigs *Argo* and *Saldana* at Baltimore, have brought Rio dates to the 20th December, and news that the combined forces of England and France have achieved a victory over the Argentine forces under Rosas, and captured the forts at the mouth of the River Parana. The Baltimore American publishes the following letter:

RIO JANEIRO, 17th Dec. 1845.

The all-abounding topic of the day is the late tremendous engagement between the Anglo-allied forces at the river Parana, and some of Rosas' batteries at the mouth of the river Parana. The newspapers will doubtless treat with the particulars of the proceedings on both sides. On the part of the English and French the victory was complete indeed; not, however, without serious losses as regards life, and property in the way of shipping.

The English brig of war *Dolphin* alone received 107 round shot in her hull and rigging during the engagement. The French steamer *Fulton* 104 shot; and a French vessel, or at least a vessel manned by Frenchmen, but formerly belonging to the Buenos Ayreans, was completely tiddled. The total loss of the allies amounts to about 150 killed and wounded, while on the part of the enemy no correct statement has yet been made public. Report says that upwards of 800 men are missing. Certain it is, that in one fort no less than 350 bodies were found, and in another some 150 or 160, and what is still more strange, they were all blacks. To account for this, it is said that as fast as a white man fell—killed or wounded, he was immediately carried off, while the poor blacks were kept at it and lay where they fell.

Once or twice these miserable wretches attempted to flee from the forts, but no sooner did they attempt it, than Rosas' cavalry charged on them and compelled them to return to their guns at the point of the lance. Rosas seemed to have anticipated the flight of his men, and placed these men there on purpose to keep them in check; for on the landing of some 450 men from the vessels of war they met with but very little opposition.

LATER FROM BRAZIL AND THE ARGENTINE REPUBLIC.—The ship *Comet*, Captain Wolfe, arrived at New York from Rio de Janeiro, Dec. 20, brings advices from Buenos Ayres to the 13th December.

The U. S. Frigate *Congress*, Commodore Stockton, arrived at Rio on the 20th December, fifty days from Norfolk. The U. S. ship *Plymouth*, Commodore Henry; the frigate *Raritan*, Capt. Gregory; and brig *Bamburgh*, Commander S. Pennington, were also at Rio.

The Colonel commanding, Francisco Crespo, gives an official report of the battle of the 20th November, on the Parana. General Manilla having been wounded in the action. The Colonel speaks in the highest terms of the gallant behaviour of the Argentine troops on the occasion, and of the heroic defence of the fort when the ammunition was exhausted. He says:

The enemies have suffered great loss of killed. They were seen on the beach, floating from their vessels the dead bodies which were floating down the waters of the Parana; the number of their casualties is estimated to exceed double that of ours. Three of their vessels were put hors de combat, and the remainder have suffered considerable damages in their spars, sails and hulks.

The commanders, officers and crews of the enemy have behaved in a manner worthy of the renown and fame of the English and French navies for bravery.

The enemy can bear testimony to the heroic defence made by this division of the Argentine army, of the independence, sovereignty and honor of the nation.

The lieutenant in the navy, D. Jose Romero, the sub-lieutenants D. Marcus Rodriguez and Faustino Medrano, the ensigns Martinez and Sanchez, and seventy privates of the batteries were killed on our side, while fighting with heroic valor, independently of those who, with equal bravery, died in the *Monte de Obligado*, where the fire was kept up until midnight; which number, together with those of the batteries, is estimated at 150.

[Eight officers and ninety privates were wounded.] Several virtuous females who remained in this bloody fight by the side of their husbands, their sons or their relatives, giving succor to the wounded, and aiding the combatants in the defence of Argentine honor, have also died heroically.

The Buenos Ayres Packet of Dec. 18, says—It is indubitable, had the Argentine government employed the means at its disposal—had the cannon been of a larger calibre—or even had the ammunition held out—the result would have been far more disastrous to the combined squadron, if even it escaped the ignominy of defeat.

PARANA BUBBLE.—By the date of the last accounts, the convoy of merchantmen was still stationary. The combined fleet, after having vainly set fire to the forts at the Vuelta de Obligado, had proceeded up the river, followed along the coast by a detachment of light artillery, which took every opportunity to annoy them. The

French corvette *Expeditive* had got aground. If they made a stand at Rosario Gen. Manilla was disposed again to give them battle.

Late and Important from Mexico.

A COUNTER REVOLUTION.—We have by the Southern mail yesterday an announcement of another and counter revolution in Mexico in favor of the restoration of Herrera and his government. This movement has been commenced by Gen. Arista, who is in command of one portion of the Mexican army. Arista was believed to be favorable to the acquisition of Texas by the United States, and had to be defended in the late Congress from that accusation by one of his friends. What means he possesses to meet the successful Paredes we know not, but joined with Herrera, who has still many friends, he may be able to give some dignity and importance to his present undertaking. Paredes has not yet had time to secure himself in his new position at the head of affairs, or to mature his plans for successfully maintaining his government. This early movement against him may result in his overthrow, and be the means of restoring Herrera, or as he has evinced no great resolution or ability, some other ambitious aspirant to power. These repeated outbreaks or mob movements in Mexico render the government truly despicable—scarcely worthy of any consideration or respect from other nations. Mr. Sidel has a difficult task to accomplish in negotiating with a government which seems to have no settled or permanent character, but like the sandy soil of Jersey, changes ownership and position at every popular breeze.—*Phila. Ledger.*

From the Mobile Daily Advertiser, Feb. 2.

We are indebted to our friend of the *Herald and Tribune* for the perusal of a letter from Pensacola, written on Saturday last, from which we learn that the U. S. brig *Somers* had just arrived at that port from Vera Cruz, bringing the important intelligence that Gen. Arista had declared against the Paredes Government, and in favor of the restoration of Herrera; that throughout the country the people were organizing in opposition to the present Administration, assigning as a reason, their having permitted Paredes to overthrow the Herrera Administration. Mr. Sidel was still at Jalapa, with brightening prospects.

Such is the brief and hasty account furnished by the *Herald's* correspondent, who wrote just as the mail was leaving, with a promise to furnish full particulars in another letter. From the nature of the intelligence we infer that the people of Mexico are not prepared to encounter a war with the United States, and that that infatuated country is on the eve of another revolution.

NOTICE

I hereby give notice that Letters of Administration have been granted to the subscriber on the estate of Joseph Hall, late of Lawrence township, dec'd, and that all persons indebted to said estate are requested to make payment immediately, and those having claims against the same, to present them duly authenticated for settlement.

WM. YATE, Administrator.

Feb. 10, 1846.

PUBLIC VENDUE.

Will be exposed to public sale on Friday, the 27th Feb. (next) at 10 o'clock, precisely.

One yoke of oxen, a lot of sheep, 30 bushels of oats more or less, a lot of rye by the bushel, a lot of corn in the ear, a lot of wheat and rye in the ground, one double-bit ax, and a lot of other articles.

Day attendance will be given and terms of sale made known by

WM. YATE, Administrator.

Feb. 10, 1846.

NOTICE.

All persons are hereby notified not to sell or buy, remove or meddle with a blacksmith shop, or other buildings, or timber belonging to the place now occupied by John F. Williams, in Bedford tp. Clearfield county, as I am determined to deal with all persons trespassing on said premises as the law directs, without respect to persons.

GEORGE GLENN.

Mechanicsville, Centre co. Feb. 2, 1846.

TO ALL CONCERNED.

The subscriber hereby gives notice that on account of his health he intends to suspend the business of Blacksmithing in the borough of Clearfield, for a year or so from the first of April next, and therefore wishes those having dealings with him to come forward on or before the 1st of May and make settlement. Those that cannot pay will be required to give their notes.

JOHN BEAUMONT.

Feb. 10, 1846.—pd.

Law Partnership.

BURNSIDE & WEAVER, WILL practice in Clearfield, and adjoining counties. Office one door north of the "Banner" office.

JAMES BURNSIDE. J. FRED WEAVER.

Jan. 24, 1846.

NEW GOODS.

DANIEL BARRETT

Has just received a large and splendid assortment of Goods, which he is determined to sell as low for cash, or in exchange for country produce, as they can be purchased in the county. Thankful for past favors, he takes this opportunity to say to his old customers, that he desires them to call at his *New Store*, to which he has removed, in all cases before purchasing elsewhere, satisfied that if they examine his stock, and prices, they will continue to trade with him. His stock consists in part of

Broadcloths.

Black, Blue, Irresistible green, Gray, &c.—Also, Pilot and Bransford cloth.

Cassimeres & Satinets.

16 pieces Satinet and several pieces of Cassimere of all colors and quality, lower than it has ever been sold in the county.

Merinos.

Several pieces of Merino, of different colors, suitable for cloaks.

Alpacas.

12 pieces Alpaca, of all qualities, from 40 cents upwards. Lower than ever the same quality has been sold in the county.

Calicos.

70 pieces of Calico, of every quality from 7 cents upwards. Ladies are invited to call & examine his stock of dark Prints.

Mous de Lane.

10 pieces new style De Lanes, of the best quality—and from 37 1/2 cents upwards, according to quality—cheaper and better than ever offered.

Shirtings & Sheetings.

Of a superior quality, from 3 to 14 yards wide. This article will be sold low, notwithstanding the rise in the city price.

Blankets.

A good assortment of Blankets, for the cold weather. Also, a few pieces of House-blankets, together with

Kentucky Jeans; Flannels, red, white and yellow; Green Baza; Linseys; Casuans; Padings; Braverlens; Velvets; Vestings, of a variety of qualities; Cravats; Stocks; Gingham; Irish Linen; Russia Diaper; Crash; Checks; Tickings; Brown Drillings; Canton Flannels; White Cambrics; Jacketts; Book Muslin; Mull and Swiss Muslin; Colored Cambrics; Gloves; Hosiery; Thread; Buttons; and a full assortment of Trimmings, &c.

Shawls.

An assortment of Shawls, Common and Superior.

Drugs.

A general assortment of Drugs, of a good quality. A few Patent medicines, and Oils, Balsams, Tinctures, &c.

Boots & Shoes.

The largest assortment of Boots & Shoes ever offered for sale in the place. Coarse boots, Kip boots, Calfskin water-proof boots, &c. A large assortment of Boys' boots—men's Brogans, Coarse and Kip. An unusually large supply of Women's Boots & Shoes.

Hats & Caps.

A large assortment of Hats and Caps.—Men's Silk and Fur Hats at 82. Fur and Cloth Caps.

Queensware.

A full assortment of well selected Queensware.

Hardware.

Is abundance. Persons desirous of building will find a bargain offered on the articles of butts, hinges, screws, &c.

Books and Stationary. Family Bibles, Testaments, Blank books of almost every description, Almanacs, Slates, Paper, &c.

Groceries.

Call on and Sugar of the best quality; Boston Syrup; Sugar-house and New Orleans Molasses; Common and Cavendish Tobacco; Pepper, Allspice, Ginger, and almost every thing that can be mentioned in that line. All of which will be sold low for cash, or in exchange for produce as follows:

Country Produce.

I will take in exchange for goods the following articles:—Lumber, Shingles, Grain of all kinds, Pork, Tallow, Candles, Suet, Lard, Butter, Deerskins, Furs, and any other article that I can sell. The highest prices will be given for Square Timber and Boards, and Goods sold in exchange for them at cash prices.

DANIEL BARRETT.

Cuswensville Dec. 18, '45.

Philipsburg & Susquehanna TURNPIKE ROAD COMPANY.

NOTICE is hereby given to stockholders in this road, that an election will be held at the house of Wm. Parker, (innkeeper,) in Philipsburg, on the first Monday in March next, between the hours of two and five o'clock, P. M., to elect Managers for the ensuing year.

By order of the Board,

EDW. F. LLOYD, Tr.

Philipsburg, Feb. 2, 1846.

Notice.

All persons having claims or demands against the estate of Samuel Harrier, late of Bradford township, deceased, are requested to make known the same to the subscribers without delay, and all persons indebted to the said estate, are requested to come forward and settle without any delay.

EDWARD WILLIAMS,

WM. WOOLDRIDGE,

Administrators.